

U.S. Department of Homeland Security
Washington, DC 20229



U.S. Customs and
Border Protection

June 8, 2006

File: FOIA Case Number DHS/CBP/OAT 051606-01

WILMERHALE

Catherine Kane Ronis
2445 M Street, NW
Washington, DC 20037

Dear Ms. Ronis:

This is in response to your Freedom of Information Act (FOIA) request on behalf of Amnesty International (AI) and Washington Square Legal Services, Inc. (WSLS), dated April 25, 2006, and received in this office on May 12, 2006. You have requested access to records under the FOIA, 5 U.S.C. 552 et. seq., pertaining to Detainees, including "ghost detainees/prisoners," "unregistered detainees/prisoners," "CIA detainees/prisoners," and "Other Governmental Agency Detainees" ("OGA Detainees").

After consultation within CBP, it has been determined that records of the type you seek in the above-mentioned April 25 2006 FOIA request would not be reasonably expected to be located in any office of U.S. Customs & Border Protection (CBP).

CBP's priority mission is to protect the American public from terrorists and the instruments of terror. As we understand your request, CBP does not process or hold "ghost detainees/prisoners," "unregistered detainees/prisoners," or "CIA detainees/prisoners" as set forth in the Scope of Request at page 2 of your April 25, 2006 FOIA request. In addition, while you do not define the term "Other Governmental Agency Detainees" ("OGA Detainees"), this is not a term used by CBP, nor would it be likely to lead us to CBP records. Therefore, we do not believe CBP has records responsive to your request.

If you consider this to be a denial of your request, you may file an appeal with the Assistant Commissioner, Office of Regulations & Rulings, U.S. Customs & Border Protection, 1300 Pennsylvania Avenue, NW, Mint Annex, Washington DC 20229, within thirty-five (35) days after the date of this determination.

There are no fees associated with the processing of this request.

Should you need further assistance, you may contact Mr. Jeff Thamkittikasem at (202) 344-2230. Please refer to file number 051606-01.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin McAleenan', with a long horizontal stroke extending to the right.

Kevin McAleenan
Executive Director
Office of Anti-Terrorism